

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

THOMAS KLUTHO, individually      )  
and on behalf of all others similarly      )  
situated,                              )  
    )  
Plaintiffs,                              )  
    )  
vs.                                      )      Case No. 4:06CV1210 CDP  
    )  
    )  
NEW DAY FINANCIAL, LLC.,              )  
    )  
    )  
Defendant.                              )

**MEMORANDUM AND ORDER**

**IT IS HEREBY ORDERED** that defendant's motion for an extension of time to file a response to plaintiff's motion for class certification [#24] is granted **in part only as follows:**

Defendants shall file their memorandum in opposition to class certification by not later than **November 1, 2007**. Plaintiffs shall file their reply memorandum in support of class certification by not later than **November 15, 2007**. **The parties shall advise the Court whether they want a hearing on class certification by not later than November 15, 2007.**

**IT IS FURTHER ORDERED** that defendant's motion for hearing [#25] is denied as moot.

  
CATHERINE D. PERRY  
UNITED STATES DISTRICT JUDGE

Dated this 21st day of August, 2007.